



**IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH**

270

ARB-10-2023 (O&M)
Date of decision: 03.04.2025

PARITOSH MANOCHA**....APPLICANT****Vs.****M/S SHREE JI INFRASTRUCTURE AND COMPANY AND OTHERS****...RESPONDENTS****CORAM: HON'BLE MR. JUSTICE JAGMOHAN BANSAL**

Present: Mr. Rajesh Lamba, Advocate for
Dr. Pankaj Nanhera, Advocate
for the applicant.

None for the respondents.

JAGMOHAN BANSAL, J (ORAL)

1. Through instant application under Section 11(6) of the Arbitration and Conciliation Act, 1996 (for short '1996 Act'), the applicant is seeking appointment of an Arbitrator.
2. Despite service, there is no representation on behalf of respondent Nos. 1 to 3 who are necessary parties. Mr. Rajesh Lamba, Advocate submits that respondent No. 4 is not necessary party and he may be deleted from the array of the respondents.
3. It appears that respondents have opted to abstain from joining the proceedings before this Court. The matter is pending before this Court since January' 2023 and it cannot be kept pending for indefinite period especially when the prayer in the application is confined to appointment of an Arbitrator who ultimately would adjudicate rights and liabilities of the parties. Thus, this Court is left with no option except to adjudicate the case.
4. The parties entered into arbitration agreement. A dispute erupted between the parties. The applicant served notice upon the respondents invoking arbitration clause but to no avail.



5. Conditions to invoke power conferred by Section 11(6) of 1996 Act stand satisfied, thus, I hereby appoint a sole Arbitrator to adjudicate the dispute between the parties.
6. Mr. Ravinder Nath Kansal, Advocate, residing at House No. 994, Sector-16, Faridabad-121002 Mobile No.9999035835 is hereby appointed as a Sole Arbitrator to adjudicate the dispute between the parties, subject to compliance of statutory requirements. The learned Arbitrator is requested to comply with mandate of Section 12 of 1996 Act before proceeding further.
7. The parties at the first instant will appear before the Arbitrator on 18.04.2025 at 10.00 A.M. and thereafter as directed by learned Arbitrator.
8. The Arbitrator shall be paid fee in accordance with the Fourth Schedule of the 1996 Act, as amended.
9. The Arbitrator is requested to complete the proceedings as per time limit specified under Section 29-A of the 1996 Act.
10. Needless to mention, parties would be at liberty to raise all the claims/defences/counter claims/pleas before the Arbitrator. Any observation made hereinabove will not be binding on the learned Arbitrator.
11. A request letter along with copy of this order be sent to Mr. Ravinder Nath Kansal.
12. Pending miscellaneous application(s), if any, shall also stand disposed of.

03.04.2025
manoj

Whether speaking/reasoned
Whether reportable

[JAGMOHAN BANSAL]
JUDGE

Yes/No
Yes/No